Corruption in Courts

2308. SHRI AMAR SINGH: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government's attention has been drawn to the news-item captioned 'Court workers thrive on Kharchapani', which appeared in the Asian Age, dated the 19th January, 2002;

(b) if so, the details thereof; and

(c) the action Government propose to take to eliminate corruption from the functioning of Courts?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) Yes, Sir.

(b) and (c) The control over district courts and courts subordinate thereto in NCT of Delhi is exercised by the Delhi High Court. Any complaint against the judicial officers or the staff of the subordinate courts in Delhi, received by the Central Government, is forwarded to the Delhi High Court for appropriate action.

The Chief Justice every year nominates a group of Judicial Officers under the direct supervision and control for the purpose of inspection and vigilance matters.

Appointment of Judges

†2309. SHRI P.K. MAHESHWARI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of judges appointed in Supreme Court, High Courts, Districts Session Courts, and lower Courts in view of number of cases pending in various Courts in the country and the number of additional judges required therefor;

(b) whether Government propose to increase the number of courts and judges; and

(c) if so, by when?

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†Original notice of the question was received in Hindi.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) to (c) The sanctioned strength of Judges in Supreme Court is fixed as provided in the Constitution of India. The review of Judge strength of High Courts is undertaken every three years in terms of Supreme Court Judgement of October 6, 1993 with reference to the felt need for disposal of cases, taking into account, the backlog and expected future filing.

It is the primary responsibility of the State Governments to take necessary action to increase the number of Judges in the subordinate Judiciary. The Department related Parliamentary Standing Committee on Home Affairs in their 85th Report on Law's Delays—Arrears in Courts has stressed the need for creation of more posts of judges in the Subordinate Judiciary. The recommendation has been forwarded to the State Governments/UTs for necessary action.

There is no vacancy in the Supreme Court. In the High Courts, there were 157 vacant posts of judges as on 11.4.2002.

Against 61 vacancies occurred in the High Courts during April 1, 2001—March 31, 2002 due to retirements, elevation of Judges to the Supreme Court and death of two Judges, 84 posts of Judges in various High Courts were filled during the the same period. As on the 11th April, 2002, there were 157 vacancies, out of approved strength of 647 Judges in the High Courts. Recommendations for filling up 45 vacancies in some High Courts were in various stages of process as on 1.04.2002.

Filling up of vacancies in the High Courts is a continuous, consultative process among the Constitutional authorities. While every effort is made to fill up the existing vacancies expeditiously, vacancies do keep arising on account of retirements, resignation or elevation of Judges. Government has been periodically reminding the Chief Justices of High Courts, the Chief Justice of

India and the Chief Ministers of the States to initiate proposals for filling up all vacant posts of judges in the High Courts. They have been reminded last on March 15, 2002.

Filling up of the vacant posts of judges/magistrates at the district and subordinate courts is the concern of the respective High Courts and the State Governments. Appointment of District Judges and other judges of the subordinate courts is made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation such State under the provisions of articles 233-234 of the Constitution of India.

The Central Government have been periodically urging all the State Governments/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of judges and magistrates. The Minister of Law, Justice and Company Affairs has written in this regard to the Chief Justices of all High Courts and the Chief Ministers of all States on 4.4.2001.

In addition to the above, the Eleventh Finance Commission has recommended the establishment of 1,734 additional courts known as Fast Track Courts for the purpose of speedy trial of sessions and other cases. As on 31st March, 2002, 1064 Fast Track Courts have been set up throughout the country.

Vacancies of Judges

2310. SHRI B. J. PANDA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the number of vacancies for the post of Judges in the High Courts and the Supreme Court as on date; and

(b) the steps Government have taken to fill these vacancies and improve the disposal of the cases pending in the various Courts?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) As on April 10, 2002, there was no vacancy in the Supreme Court of India and the number of vacancies in the High Court was 157.